

**CUSTOMER SERVICES
AND
COMMUNITY RIGHTS REPORT**

**COMPLAINTS, INFORMATION/REFERRAL,
AND MEDICAID APPEALS**

Second Quarter Report 2003

**Advocacy and Customer Services Section
Division of Mental Health, Developmental Disabilities
and Substance Abuse Services
Department of Health and Human Services**

The following report is a statistical summary describing the work of the Customer Services and Community Rights Team (CSCR), Advocacy and Customer Services Section, DMH/DD/SAS. The report covers the second quarter of the 2003/2004 fiscal year, which includes the months of October, November and December of 2003. During this quarter, the tracking system has been revised. The increasing demands on the software based on the quantity and complexity of the calls necessitated the changes. The revisions will continue as trends are identified, as well as needs of the team and the Division.

Unfortunately, very rarely does someone call or write to acknowledge the positive experience they had with services. Please be aware that when people call or write they are usually having difficulty either with finding information or are unhappy with some aspect of services. So, the data that is tracked can identify the barriers to receiving services and areas that need improving.

Section I of the report will look at Information/Referral and Complaint data and Section II will review the Medicaid Appeals data. Medicaid appeals are formal due process filings according to Federal Law 42 CFR 431 Sub-Part E.

The team receives requests for information/referral and appeals by phone, email, face-to-face and through the mail. Some cases are open over the course of several months due to their complexity or the nature of the issue, so they are counted on the monthly basis. In the following chart, the "**Total**" represents the unduplicated count of cases for the three-month period.

Overall Totals of Cases and Contacts		October	November	December	Total
Information/Referral and Complaints	*Unduplicated Number of Cases	88	76	59	211
	Contacts	380	643	269	1292
Appeals	*Unduplicated Number of Cases	11	17	8	28
	Contacts	31	55	22	108

Information/Referral and Complaints

Types of Issue Categories used in tracking Complaints and Information/Referral Cases

The information/referral and complaint calls encompass a wide variety of issues. The first chart is the guide used to categorize issues as they are presented. There are calls, referred to as "other", that do not fit in current categories. Once a pattern exists in the use of "other", the issue is added to the tracking system. The second chart lists the overall totals of the types of issues that have been address in the second quarter.

Issue	Definition
Abuse and Neglect	<i>Refer to DFS or DSS</i>
Access	<i>Need to obtain services</i>
Accountability	
AP Policy	<i>Dispute over Area Authority/LME administrative or service policy</i>
Benefits	<i>Disability benefits question (SSI, Special Assistance, Medicare, Medicaid, etc.)</i>
Crisis Call	<i>Emergency referral or suicide</i>
Denial	<i>Service denial</i>
Medicaid Waiver (CAP-MR/DD)	<i>Regarding Waiver program policy or procedure (But not service denial issue.)</i>
Provider	<i>Provider performance or policy</i>
Rights	<i>Alleged violation of rights</i>
Service Quality	<i>Questions whether current service is being delivered well</i>
Staff	<i>Directed to Area Authority/LME, Provider or State facility staff</i>
Other	<i>When current categories are not inclusive of the presenting issue</i>

Overall Total of Complaints and Information/Referral Cases by Issue

Issue	Complaints	Information and Referral	Total
Access	25	43	68
LME policy	2	2	4
Benefits	4	4	8
CAP-MR/DD	3	4	7
Crisis call	0	6	6
Denial	5	4	9
Pay	1	0	1
Provider	5	1	6
Quality	1	1	2
Rights	9	2	11
Staff	2	2	4
Not disclosed	4	7	11
Other	33	41	74
Total	94	117	211

Overall, there are a higher number of individuals seeking information and referral than there are those wishing to file a complaint. The team is seeing a great increase in letter and email inquiries through the Div. of MH/DD/SAS Contact DMH system as well as the DHHS Careline.

The highest issue category is "Other". Currently, there is an increase in the number of calls that are asking for information that may not directly relate to area of rights and customer service per se. They include questions about locating family members,

information on the MH Trust Fund, information for research, Waiver questions, persons out of medications, ethical issues for certain services, clinical supervision for social workers, sheriff's departments charging individuals being involuntarily committed for transportation and even looking for a place to complain about a political party. Though many issues that people call about are not necessarily under the scope of the team, a staff person connects the person with the resource that can address the issue. Also, there is an increase in contacts by LME staff calling to find the location of specific information.

The second highest issue falls under the category of "access" to services. This is a broad category. Most LMEs have demonstrated great responsiveness to people calling and make every effort to resolve the issues. LME Client Rights Coordinators are accessible and responsive. However, most people calling are unaware of the Client Rights Coordinator, but seem to be very appreciative when they find out the person is there. People in the community need a better understanding of how to exercise their rights and work with the LME Client Rights Coordinators.

As LMEs evolve during the Reform, we receive calls related to misinformation in the transitioning process. Frequently, people call because they were told that services were no longer available to them or because they are getting no response when they call the LME. In one case, a person called the place where they received services and was told that the area program no longer exists. The staff person provided no assistance in helping the individual to connect to the right place. A growing issue in a few LMEs is difficulty speaking directly to a staff person rather than voice mail. In several instances, it has taken 8-10 calls to get a person and not be sent to another voicemail. Fortunately, this is not the norm and CSCR team advocates are providing feedback to LMEs when this occurs, as well as informing the LME team.

Complaints and Information/Referral Cases by Issue Broken Down by LME

The Team is currently tracking the catchment areas of the calls received and addressed by the CSCR team. It is very important to note that calls do not indicate complaints against Area Authorities in all cases. We have simply recorded the locality of the complainant or person asking for information. A high volume may indicate that consumers are aware of the complaint process and that the Area Program provides a complaint system to help consumers address their concerns. The following charts are a break out of the issue by the LME catchment area. The information is broken down by whether the call was a request for information/referral or complaint, which is then listed by issue.

Please note: In some cases, the caller will **not disclose** where they live so there is no way of knowing their specific LME catchment area. Also, there are calls about issues unrelated to the location of the caller. For example, a person asking about information specific to an issue or service would not fall under any specific LME.

LME	Type	Issue	Total
Not disclosed	Complaints	Access	2
		Provider	1
		Other	5
		Rights	1
	Complaints Total		9
	Information and Referral	not disclosed	5
		Access	5
		Other	16
	Information and Referral Total		26
Total			35

LME	Type	Issue	Total
Alamance-Caswell	Complaints	Not disclosed	1
		Other	1
	Complaints Total		2
	Information and Referral	Provider	1
	Information and Referral Total		1
Alamance-Caswell Total			3

LME	Type	Issue	Total
Albermarle	Complaints	Benefits	1
		Other	2
	Complaints Total		3
	Information and Referral	Access	1
		Other	1
	Information and Referral Total		2
Albermarle Total			5

LME	Type	Issue	Total
Catawba	Complaints	Provider	1
		Quality	1
		Rights	2
	Complaints Total		4
	Information and Referral	Access	1
		crisis call	1
	Information and Referral Total		2
Catawba Total			6

LME	Type	Issue	Total
CenterPoint	Complaints	Provider	2
		Other	1
	Complaints Total		3
	Information and Referral	Denial	1
		Quality	1
	Information and Referral Total		2
CenterPoint Total			5

LME	Type	Issue	Total
Crossroads	Complaints	Access	1
	Complaints Total		1
	Information and Referral	Access	1
		Other	2
	Information and Referral Total		3
Crossroads Total			4

LME	Type	Issue	Total
Cumberland	Complaints	Access	1
		Other	2
	Complaints Total		3
	Information and Referral	Access	1
		Staff	1
	Information and Referral Total		2
Cumberland Total			5

LME	Type	Issue	Total
Durham	Complaints	Denial	1
		Other	2
		Rights	1
	Complaints Total		4
	Information and Referral	Denial	1
		Other	1
	Information and Referral Total		2
Durham Total			6

LME	Type	Issue	Total
Eastpointe (Duplin/Sampson-Lenoir-Wayne)	Complaints	Access	1
		Provider	1
		Other	1
		Staff	1
	Complaints Total		4
	Information and Referral	Rights	1
		Staff	1
	Information and Referral Total		2
	Eastpointe (Duplin/Sampson-Lenoir-Wayne) Total		6

LME	Type	Issue	Total
Edgecombe/Nash-Riverstone-Wilson/Greene	Complaints	Benefits	1
		CAP-MR/DD	1
		Denial	1
		Other	1
	Complaints Total		4
	Information and Referral	CAP-MR/DD	2
	Information and Referral Total		2
Edgecombe/Nash-Riverstone-Wilson/Greene Total			6

LME	Type	Issue	Total
Foothills	Complaints	Access	1
	Complaints Total		1
	Information and Referral	Not disclosed	1
		Access	1
		Other	1
	Information and Referral Total		3
	Foothills Total		

LME	Type	Issue	Total
Guilford	Complaints	Denial	1
		Other	3
	Complaints Total		4
	Information and Referral	Access	2
	Information and Referral Total		2
Guilford Total			6

LME	Type	Issue	Total
Johnston	Complaints	ap policy	1
	Complaints Total		1
	Information and Referral	Access	3
	Information and Referral Total		3
Johnston Total			4

LME	Type	Issue	Total
Lee-Harnett	Complaints	Other	1
		Rights	1
	Complaints Total		2
Lee-Harnett Total			2

LME	Type	Issue	Total
Mecklenburg	Complaints	Access	2
		Other	2
	Complaints Total		4
	Information and Referral	Access	3
		Other	6
	Information and Referral Total		9
Mecklenburg Total			13

LME	Type	Issue	Total
Not Applicable to the Call	Information and Referral	Access	1
		Other	2
	Information and Referral Total		3
na Total			3

LME	Type	Issue	Total
Neuse	Complaints	Access	2
		Denial	1
	Complaints Total		3
	Information and Referral	Access	1
		Other	1
	Information and Referral Total		2
Neuse Total			5

LME	Type	Issue	Total
New River	Complaints	Not disclosed	1
		Other	1
	Complaints Total		2
New River Total			2

LME	Type	Issue	Total
Onslow	Complaints	Not disclosed	1
		Access	1
		ap policy	1
		Rights	1
	Complaints Total		4
Onslow Total			4

LME	Type	Issue	Total
Orange-Person-Chatham	Complaints	Access	3
	Complaints Total		3
	Information and Referral	Benefits	1
	Information and Referral Total		1
Orange-Person-Chatham Total			4

LME	Type	Issue	Total
Pathways	Complaints	Benefits	1
		Other	2
		Staff	1
	Complaints Total		4
	Information and Referral	Access	1
		crisis call	1
		Other	1
	Information and Referral Total		3
Pathways Total			7

LME	Type	Issue	Total
Piedmont-Davidson	Complaints	Other	3
	Complaints Total		3
	Information and Referral	access	2
	Information and Referral Total		2
Piedmont-Davidson Total			5

LME	Type	Issue	Total
Pitt	Complaints	denial	1
		pay	1
	Complaints Total		2
	Information and Referral	access	1
		ap policy	1
	Information and Referral Total		2
Pitt Total			4

LME	Type	Issue	Total
Roanoke Chowan	Complaints	access	3
	Complaints Total		3
Roanoke Chowan Total			3

LME	Type	Issue	Total
Rockingham	Information and Referral	access	1
		CAP-MR/DD	1
		other	1
	Information and Referral Total		3
Rockingham Total			3

LME	Type	Issue	Total
Sandhills-Randolph	Complaints	access	1
		benefits	1
		other	1
	Complaints Total		3
	Information and Referral	access	2
		ap policy	1
		benefits	1
		CAP-MR/DD	1
		other	1
	Information and Referral Total		6
Sandhills-Randolph Total			9

LME	Type	Issue	Total
Smoky Mountain	Information and Referral	access	1
	Information and Referral Total		1
Smoky Mountain Total			1

LME	Type	Issue	Total
Southeastern Center	Complaints	access	1
		rights	1
	Complaints Total		2
	Information and Referral	access	3
		other	3
	Information and Referral Total		6
Southeastern Center Total			8

LME	Type	Issue	Total
Southeastern Regional	Information and Referral	access	2
		crisis call	2
		denial	1
		other	1
	Information and Referral Total		6
Southeastern Regional Total			6

LME	Type	Issue	Total
VGFW	Complaints	access	1
	Complaints Total		1
	Information and Referral	crisis call	1
		other	1
	Information and Referral Total		2
VGFW Total			3

LME	Type	Issue	Total
Wake	Complaints	access	3
		other	2
	Complaints Total		5
	Information and Referral	Not disclosed	1
		access	6
		benefits	2
		crisis call	1
		other	2
		rights	1
	Information and Referral Total		13
Wake Total			18

LME	Type	Issue	Total
Wayne	Information and Referral	access	1
	Information and Referral Total		1
Wayne Total			1

LME	Type	Issue	Total
Western Highlands (Blue Ridge - Rutherford -Polk - Trend)	Complaints	Not disclosed	1
		access	1
		CAP-MR/DD	1
		other	3
		rights	2
	Complaints Total		8
	Information and Referral	access	3
		other	1
	Information and Referral Total		4
Western Highlands (Blue Ridge - Rutherford-Polk - Trend) Total			12

LME	Type	Issue	Total
Wilson Greene	Complaints	access	1
		CAP-MR/DD	1
	Complaints Total		2
	Information and Referral	denial	1
	Information and Referral Total		1
Wilson Greene Total			3

Grand Total			211
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Information/Referral and Complaints Division Demographics

The following chart breaks out the contacts by the identified Division service categories. A little less than half of the callers do not disclose this information or it is not relevant to the contact.

Disability	Total
MH/SA	11
MH/DD	12
SA	23
DD	31
MH	45
Not disclosed	89
Grand Total	211

II. Medicaid Appeals

The following chart explains the categorization of Medicaid Appeal Types. ***Please note: The explanations of the Appeal Types are guidelines and not legal definitions.** A high volume may indicate that consumers are aware of the appeal process, as well as potential issues. Then the appeals are broken down by LME and the type of the appeals. For the overall totals, please refer to the first chart on page 2.

Appeal Type*	
Denial	<i>A denial of a requested service (a new service or more hours of the same service)</i>
Reduction	<i>When a current service is reduced either by hours or from a more intensive to a less intensive level</i>
Suspension	<i>When a current service is suspended</i>
Termination	<i>When a current service is terminated, includes the letter sent to “no shows” that the plan will close unless consumer appears.</i>

Appeals by Appeal Type Broken Down by LME

LME	Appeal Type	Total
Albemarle	termination	1
Albemarle Total		1

LME	Appeal Type	Total
Catawba	denial	1
Catawba Total		1

LME	Appeal Type	Total
Crossroads	denial	1
Crossroads Total		1

LME	Appeal Type	Total
Eastpointe	denial	1
	reduction	3
	termination	1
Eastpointe Total		5

LME	Appeal Type	Total
Edgecombe/Nash-Riverstone-Wilson-Greene	denial	2
Edgecombe/Nash-Riverstone-Wilson-Greene Total		2

LME	Appeal Type	Total
Guilford	denial	1
	reduction	2
Guilford Total		3

LME	Appeal Type	Total
Mecklenburg	denial	2
Mecklenburg Total		2

LME	Appeal Type	Total
Pathways	denial	1
Pathways Total		1

LME	Appeal Type	Total
Piedmont-Davidson	denial	2
	reduction	1
Piedmont-Davidson Total		3

LME	Appeal Type	Total
Pitt	reduction	1
Pitt Total		1

LME	Appeal Type	Total
Southeastern Regional	reduction	5
Southeastern Regional Total		5

LME	Appeal Type	Total
Western Highlands	denial	2
	reduction	1
Western Highlands Total		3

Grand Total		28
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LME Local Review Decision

The local informal hearing is an option to individuals appealing authorization decisions by the LME. Appellants can accept the local review outcome or continue on to the

DMH/DD/SAS Hearing or file to the Office of Administrative Hearings. Of the 28 appeals, 11 local informal hearings have been held. The following chart explains the categorization of the decisions. Then, there is a breakout of decisions.

Area Authority/LME Decision	
Area Authority	<i>Original authorization decision upheld</i>
Consumer	<i>Original authorization decision overturned on behalf of the person appealing</i>
Mutual N/A	<i>Compromise was reached between person and the LME.</i>
Pending	<i>No decision posted</i>
Withdrew	<i>The recipient withdrew verbally or in writing.</i>

Informal Local Review Decision	Total
Area Authority	2
Consumer	6
Mutual N/A	1
Pending	1
Withdrew	1
Grand Total	11

DMH/DD/SAS Hearing Decisions

The following chart lists the current categorization of the DMH/DD/SAS Hearing Decision. In the second quarter, 5 Division Hearings were scheduled. Three were withdrawn. In consulting with the Hearing coordinator, it was determined that there is a need for more information on the “withdrew” category to determine the reason for the withdrawal. For example, the person could have withdrawn because of resolution at the local level or they have just tired of the process. The third quarter report will specify the reason for withdrawal more clearly.

Division Hearing Decision	
Denial Upheld	<i>Original authorization decision upheld</i>
Consumer/Appellant	<i>Original authorization decision overturned on behalf of the person appealing</i>
Pending	<i>No action when you checked</i>
Withdrew	<i>The recipient withdrew verbally or in writing.</i>

Decision	Total
Consumer/Appellant	1
Pending	1
Withdrew	3
Grand Total	5

Office of Administrative Hearings (OAH)

The office of the Attorney General reports the following information about three appeals filed to the Office of Administrative Hearings. One decision ruled in state's favor orally. The second found in favor of the petitioner. The two were awaiting final written decisions by the Division of MH/DD/SAS Director. In the third case, the petitioner withdrew the petition. Of the three cases, only one had come through the DMH/DD/SAS appeals process. One new case was reported to be filed.

Team Activities for the Future:

- ❖ As reported, the Customer Service and Community Rights team is working hard to improve the tracking system to better reflect the issues that impact rights and customer service for individuals.
- ❖ The team works extensively with other teams in the Division to facilitate equitable resolutions to issues as they arise. This has included planning and working in cooperatively on investigations with the Accountability team.
- ❖ Training on Client Rights is being developed.
- ❖ The team is working on the Rights and Empowerment Conference and Pre-conference being held on May 13, 14 and 15, 2004. The intent (or goal) of the pre-conference is to assist LME Client Rights Coordinators and other staff to impact the attitudes and culture of customer services in their area. The program will include models of Customer Service, the role of LMEs and Best Practices. The conference is designed to assist individuals and staff in understanding rights and advocacy on a personal and professional level.
- ❖ Advocacy and Customer Service support staff report that they handle a high number of calls as well as Contact DMH emails requesting phone numbers for people and organizations.
- ❖ There is a high volume of individuals calling to find out where to locate substance abuse services in their area. These individuals are referred directly to the "800" number at the Alcohol/Drug Council of North Carolina and to their LME. This information is not currently tracked in the database. A system has been setup to gather this information and will be included in the third quarter report.

For questions concerning the report, please contact Stuart Berde at (919) 715-3197 or email at him at Stuart.Berde@ncmail.net.